

RESOLUTION

A RESOLUTION PURSUANT TO FAUQUIER COUNTY ZONING ORDINANCE §2-309.6 THAT LANDS SHOWN ON THE PRELIMINARY PLAT WITHIN THE WARRENTON CHASE SUBDIVISION (PPO3-C-17), AS A COMMUNITY PACKAGE TREATMENT PLANT WITH MASS DRAINFIELDS, DO NOT QUALIFY AS OPEN SPACE

WHEREAS, Toll Brothers, applicant for the Warrenton Chase Subdivision's preliminary plat, has proposed a community package treatment plant with mass drainfields to provide sewage treatment to the proposed subdivision; and

WHEREAS, Toll Brothers has shown 67.6 acres as dedicated open space as part of the required open space for the subdivision; and

WHEREAS, the aforesaid dedicated open space is planned on the preliminary subdivision plat to have the community package treatment plant with mass drainfields located thereon; and

WHEREAS, Fauquier County Code §2-309.6 authorizes the Planning Commission to determine whether lands qualify as open space; now, therefore, be it

RESOLVED, by the Fauquier County Planning Commission, this 31st day of July 2003, That it does hereby find that the aforesaid 67.6 acres of land upon which the community package treatment plant, including mass drainfields, does not qualify as open space for the following reasons:

(1) Community package treatment plants with mass drainfields are not expressly identified as qualifying for open space under Fauquier County Zoning Ordinance §2-309.1, *et seq*;

(2) The aforesaid property does not constitute dedicated open space under the Zoning Ordinance as no governmental entity, including but not limited to, Fauquier County, Fauquier County Water and Sanitation Authority, the Town of Warrenton, or any other public agency or body, has accepted or agreed to ownership of the system;

(3) The 67.6 acres constitute more than 50% of the required open space for the subdivision and it is not good planning or policy to permit more than 50% of open space for any subdivision to be land upon which a mass drainfield sewage system is to be established.

Exhibit A